

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1360 be amended to read as follows:

- 1 Page 3, line 17, strike "(a) Money".
- 2 Page 3, line 18, strike "credited to the".
- 3 Page 3, line 18, delete "build".
- 4 Page 3, delete line 19.
- 5 Page 3, line 20, delete ""section 3.5 of this chapter,".
- 6 Page 3, line 20, strike "may be used only for".
- 7 Page 3, line 20, delete ":".
- 8 Page 3, line 21, delete "(1)".
- 9 Page 3, line 21, strike "state".
- 10 Page 3, line 21, delete "or".
- 11 Page 3, line 21, strike "local capital projects".
- 12 Page 3, line 21, delete "that are managed or".
- 13 Page 3, line 22, delete "carried out by an eligible recipient;".
- 14 Page 3, line 22, strike "or".
- 15 Page 3, line 23, delete "(2)".
- 16 Page 3, line 23, strike "deposit in a revolving loan fund".
- 17 Page 3, line 23, strike "for".
- 18 Page 3, strike line 24.
- 19 Page 3, line 25, delete "(b)" and insert "(a)".
- 20 Page 3, line 26, after "be" insert "**requested by a member of the**
- 21 **general assembly under section 4.3 of this chapter and**".
- 22 Page 3, run in lines 17 through 29.
- 23 Page 3, line 30, delete "(c)" and insert "(b)".
- 24 Page 4, line 12, delete "(d)" and insert "(c)".

Page 4, line 16, delete "(e)" and insert "(d)".

Page 4, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 4. IC 4-30-17-4.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 4.2. Money credited to the build Indiana fund, after making the disbursements required under section 3.5 of this chapter and paying the expenses appropriated under section 13 of this chapter, is annually appropriated for allocation to state and local capital projects as follows:**

(1) Five thousandths (0.005) of the money is appropriated for state and local capital projects attributable to the legislative district of a member of the house of representatives, as determined under section 4.3 of this chapter.

(2) One hundredth (0.01) of the money is appropriated for state and local capital projects attributable to a legislative district of a member of the senate, as determined under section 4.3 of this chapter.

(b) Money appropriated for allocation to a legislative district does not revert to the build Indiana fund or the state general fund and may be used for a state or local capital project attributable to the legislative district in the same year that the money is allocated or in any later year. If the boundaries of a house or senate district are changed, any amount of money that:

(1) is allocated under this section to the legislative district before the effective date of the boundary changes; and

(2) is not committed to a state or local capital project through a funding agreement entered into under section 11 of this chapter;

is reallocated to the successor legislative districts in proportion to the percentage of the population of the previous legislative district that is contained in the successor legislative districts.

(c) If:

(1) money is loaned from the build Indiana fund to an eligible recipient for a state or local capital project; and

(2) the principal is repaid to the build Indiana fund or interest on the loan is paid to the build Indiana fund;

the amount deposited in the build Indiana fund from the loan becomes available for other projects in the legislative district to which the project was initially attributed or its successor legislative districts in proportion to the amount of the original loan attributed to the legislative district.

(d) Before the last day of January, April, July, and October of each year, the budget agency shall provide each legislator with a report that contains at least the following information:

(1) The amount of money allocated to the legislative district served by the member of the general assembly in the immediately previous month.

(2) The aggregate amount of the unfunded state and local capital project requests attributed to the legislative district under section 4.3 of this chapter.

(3) The net amount of money allocated to the legislative district that is available for additional project requests.

(4) The project name, attributed, approved, and expended project funding amounts for each project, and status of each state or local capital project that is attributed to the legislative district under section 4.3 of this chapter.

SECTION 5. IC 4-17-30-4.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 4.3. (a) A member of the general assembly may submit a written request to the budget agency to have the budget committee review and the governor approve funding from the build Indiana fund for a state or local capital project at any time.

(b) A state or local capital project is attributed to a legislative district if the member of the general assembly serving the legislative district requests that the budget committee review and the governor approve funding for the project. A request continues to be attributed to the legislative district until it is withdrawn by the member of the general assembly serving the legislative district, regardless of a different person is elected to serve the legislative district.

(c) The amount of project funding attributed to a legislative district is the amount that the member of the general assembly serving the legislative district requests that the budget committee review and the governor approve for the project, regardless of whether the total appropriation or other funding request for the project exceeds the amount requested by the member of the general assembly.

(d) If more than one (1) member of the general assembly requests that the budget committee review and the governor approve funding for a project, the total amount requested for the project shall be proportionally attributed to the legislative district of each member of the general assembly requesting the project.

(e) The amount of money for a project ceases to be attributed to a legislative district if:

(1) an eligible recipient fails to use money from the build Indiana fund within the time or under the terms specified in the funding agreement entered into or modified under section 11 of this chapter; and

(2) the money remains in the build Indiana fund or is returned to the build Indiana fund.

The money previously attributed to the project becomes available for other projects in the legislative district to which the project was initially attributed or its successor legislative districts.

(f) The total amount of unfunded requests that may be

1 attributed to a legislative district at any one (1) time may not
 2 exceed the unencumbered balance of build Indiana money
 3 allocated to the legislative district. The budget agency may reject
 4 or reduce the amount of a request that, in the aggregate with all
 5 other unfunded requests made by a member of the general
 6 assembly, exceeds the unencumbered balance of the build Indiana
 7 money allocated to the legislative district.

8 (g) A legislator may modify or withdraw a request for funding
 9 of a project at any time before the governor approves funding for
 10 the project under section 10 of this chapter. However, if the
 11 amount requested for a project is increased above the amount
 12 reviewed by the budget committee, the increased request must be
 13 reviewed by the budget committee before the governor may
 14 approve the project under section 10 of this chapter."

15 Page 5, between lines 33 and 34, begin a new line block indented
 16 and insert:

17 "(16) A copy of the written request made by a member of the
 18 general assembly under section 4.2 of this chapter for funding
 19 of the project."

20 Page 5, line 37, delete "and".

21 Page 5, line 38, delete "an appropriation" and insert "a request
 22 from a member of the general assembly".

23 Page 5, line 39, after ";" insert "and

24 (4) the requested amount for the project will not, in the
 25 aggregate with all other unfunded requests made by the
 26 requesting member of the general assembly, exceed the
 27 available money allocated to the legislative district served by
 28 the requesting member of the general assembly."

29 Page 7, line 42, delete "each" and insert "the".

30 Page 8, line 1, delete "represents the area that will be most" and
 31 insert "requested that the project be funded:".

32 Page 8, delete line 2.

33 Page 12, delete lines 9 through 42 begin a new paragraph and insert:

34 "SECTION 16. [EFFECTIVE JULY 1, 2002] (a) The definitions in
 35 IC 4-30-17-2 and IC 4-30-17-4.1, both as amended by this act,
 36 apply throughout this SECTION.

37 (b) Notwithstanding any other law, including a law enacted after
 38 December 31, 2001, and before July 1, 2002, all unencumbered
 39 appropriations from the build Indiana fund that:

40 (1) are for specific projects; and

41 (2) were enacted before July 1, 2002;

42 are deappropriated. The unencumbered balance of the build
 43 Indiana fund in July 1, 2002, is appropriated for allocation among
 44 legislative districts for state and local capital projects in the
 45 manner provided by IC 4-30-17-4.2, as added by this act."

46 Delete page 13.

47 Renumber all SECTIONS consecutively.

(Reference is to HB 1360 as printed January 30, 2002.)

Representative Steele